उसकी माता से संबंधित है और सात वर्ष से उसकी अप्राप्तवयता समाप्त होने तक, यह उसके पिता के पास आ जाता है । किसी महिला के मामले में हजरिआत का संबंध उसकी माता से है और शिशु के यौवनागम की आयु प्राप्त करने तक उसके पास रहता है । कोई तलाकशुदा या विधवा मां का, जब तक वह अविवाहित रहती है, उसका विशेषाधिकार समाप्त नहीं होता है । यदि माता या माता का कोई विधिक प्रतिस्थानी उपलब्ध नहीं हो तो शिशु की हजरिआत उस व्यक्ति के पास चली जाती है जो उस समय के लिए शिशु के शरीर का संरक्षक हो, चाहे वह, उसका पिता हो या कोई अन्य पुरुष संबंधी हो । जनक मुख्यरूप से और मूलरूप से अपनी संतान के भरण-पोषण के लिए जिम्मेदार होगा और उसके दायित्व की सीमा उसकी और संतान की स्थिति पर निर्भर करेगी ।

(ग) शिशु के शरीर की संरक्षकता मुख्य रूप से उसके पिता से संबंध रखती है । माता को उपर बताए गए अनुसार विधिक रूप से विहित की गई अवधि के लिए पिता को दूर करने का केवल पूर्वाधिकार है । केवल विधिमान्य तलाक को तलाक माना जाता है अतः सरकार या वक्फ बोर्ड का इसमें हस्तक्षेप करने का कोई प्रश्न ही नहीं हैं ।

Central Appellate Tribunals

3260. SHRI SANGH PRIYA GAUTAM : Will the PRIME MINISTER be pleased to state :

(a) what is the total number of Central Appellate Tribunals, category-wise/Department-wise in the country and the total number of the Members of the judicial and administrative members thereof, category-wise ;

(b) what is the total number of scheduled caste/scheduled tribe members category-wise amongst them and how many of these SC/ST members are the Chairman and Vice-Chairmen ;

(c) whether it is a fact that they are under represented ; and

(d) if so, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) to (d) The information is being collected and will be laid on the Table of the House.

Applications with Supreme Court and Legal Advice Board

3261. SHRI DILIP SINGH JUDEV : Will the PRIME MINISTER be pleased to state :

(a) what is the number of applications received by Supreme Court and Supreme Court Legal Advice Board, for legal aid and advice during the years 1986-87 to 1990-91, year-wise ;

(b) what is the number of applications which were considered and accepted by the Supreme Court as petitions together with the number of applications for which cases were filed by legal Aid Board itself ;

(c) what is the year-wise number of cases sent to legal Aid Board and Advice Board of Madhya Pradesh together the number of applications on which the action was taken by the State Legal Aid Board and Advice Board and cases were filed ; on that basis, giving details of the cases rejected and lying pending will now ; and

(d) by when the cases pertaining to Raigarh district and received through Hon'ble Supreme Court are pending alongwith the number thereof and what are the reasons therefor stating the difficulties being faced in filing them in the form of cases ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) The Central Government has constituted Supreme Court Legal Aid Committee (SCLAC) to administer and implement the legal aid programmes in so far as it relates to the Supreme Court of India ; to receive and investigate applications for legal aid and advice in so far as they relate to the Supreme Court and to provide for giving of legal advice in matters filed or to be filed in the Supreme Court etc. vide Resolution dated 9th July, 1981. Even applications received by the Supreme Court Registry in regard to legal aid are generally forwarded to the Supreme Court Legal Aid Committee and hence the information is supplied by the Supreme Court Legal Aid Committee. On the basis of the information received from SCLAC, the number of applications received and cases filed by it in the Supreme Court during the financial years 1986-87 to 1990-91, year-wise is as under :—

Financial Year	No. of applications received by SCLAC	Cases filed by SCLAC in Supreme Court of India
1986-87 . . .	12281	773
1987-88 . . .	11428	863
1988-89 . . .	9367	720
1989-90 . . .	9016	701
1990-91 . . .	9323	670

(c) The question does not arise since the function of SCLAC is to file cases in the Supreme Court of India and not to send cases to M.P. Legal Aid and Advice Board.

(d) The Supreme Court Legal Aid Committee does not maintain Case Registers on District-wise basis. The number of cases pertaining to Raigarh District, as such, cannot be ascertained.

Pay scales of administrative staff of HCs and SC

3262. SHRI SARADA MOHANTY : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that scales of pay of administrative staff of High Court and Supreme Court were at par with the Central Government employees ;

(b) whether it is a fact that the Supreme Court and High Courts are revising the scales of staff through various writs ;

(c) if so, through which writs the scales have been upgraded/revised and which of the Fundamental right has been violated ;

(d) whether the Central Government are considering the revision of the scales of Central Government employees at par with employees of High Courts and Supreme Court ; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) The scales of pay of administrative staff of the Delhi High Court and the Supreme Court were fixed in relationship to the employees of the Delhi Administration and the Central Government, respectively.

(b) Certain categories of staff of the Delhi High Court and the Supreme Court have, from time to time, filed writs in the appropriate courts to claim higher emoluments. Where the Court upheld the plea and allowed the relief, the same became admissible.

(c) A statement showing details of writs is enclosed. (*see* below)

(d) and (e) There is no proposal to revise the scales of pay of the Central Government employees. The scales of pay of any category of post which are revised as a result of judicial pronouncements are applicable only to the category of post for whom the judicial order has been passed.

Statement

(i) Judgement dated 8-4-91 of Delhi High Court in C.W.P. No. 3485/90 read with order dated 24-7-91 of the Supreme Court in SLP No. 11158/91.

(ii) Judgement of Delhi High Court dated 8-4-91 in C.W.P. No. 3465/90.

(iii) Judgement dated 26-4-91 of Delhi High Court in C.W.P. No. 2786/88.

(iv) Judgement of 7-5-91 of Delhi High Court in W.P. No. 289/91 read with order dated 26-9-91 of Supreme Court in SLP No. 13229/91.

(v) Judgement dated 8-10-91 of Delhi High Court in W.P. No. 3197/89.

(v) Judgement dated 4-11-91 of Delhi High Court in 3464/90.

(vii) Judgement dated 14-11-91 of Delhi High Court in C.W.P. No. 2756/91 read with order dated 25-3-1992 of the Supreme Court in SLP No. 2594/92.

(viii) Order dated 2-12-91 of Delhi High Court in CMP No. 3671 and 3672/92 in CWP No. 3465/90.

(ix) Judgement dated 5-2-1992 of Delhi High Court in CWP No. 1607/87.

(x) Order dated 16-3-93 passed by the Supreme Court in I.A. No. 2,3,4, and 5 of 1992 in W.P. No. 801/1986 and I.A. No. 2 of 1992 in W.P. No. 1201/86.

All India Conference of High Courts and Supreme Court Judges

3263. SHRI MISA R. GANESAN : Will the PRIME MINISTER be pleased to state :

(a) whether there is any proposal to convene an All India Conference of High Court and Supreme Court judges in the near future ;

(b) if so, where and when ;

(c) what would be the agenda of the conference ;

(d) the number of delegates who are expected to attend ;

(e) how many days will the conference last ; and

(f) whether the invitation to the conference have been sent or not ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) There is no such proposal at present.

(b) to (f) Do not arise.